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10/021,583	10/29/2001	Easton F. Bell	F-352	3446

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/021,583
Filing Date: October 29, 2001
Appellant(s): BELL ET AL.

Brian A. Lemm (Reg. No. 43,748)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03 April 2006 appealing from the Office action mailed 02 November 2005

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

4,752,950	LeCarpentier	6-1998
5,657,689	Lee	8-1997

.Sinclair, Ken "Wireless Networking Review", 01 May 2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1 – 10 and 31 – 37 are being unpatentable over Le Carpentier US Patent 4,752,950) in view of Lee US Patent 5,657,689, and further in view of an Article "Wirelell Networking Review" by Ken Sinclair hereinafter known as Sinclair.

Regarding claims 1, 31 and 33, LeCarpentier teaches a mailing system. LeCarpentier teaches:

a plurality of devices associated with mail preparation, each of said plurality of devices adapted to communicate with other of said plurality of devices via a wireless communication [Fig. 1 and disclosure associated with Fig. 1];

a gateway server adapted to communicate with each of said plurality of devices [Fig. 1 and disclosure associated with Fig. 1].

LeCarpentier does not teach wireless communication network for LAN. However, Lee teaches one or more postal processing machine interconnected by a local area radio frequency (RF) wireless communication network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify LeCarpentier as taught by Lee to provide mobility to users (one of the benefits of wireless is mobility).

LeCarpentier in view of Lee teaches gateway server being coupled to a communication network, gateway server and plurality of devices forming a local network [LeCarpentier, Fig. 1 and disclosure associated with Fig. 1].

LeCarpentier in view of Lee does not teach gateway server acting as a master of local network, each of said plurality of devices communicating with another of said plurality of devices via a wireless communication through said gateway server. However, Sinclair teaches gateway server acting as a master of local network, each of said plurality of devices communicating with another of said plurality of devices via a wireless communication through said gateway server.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify LeCarpentier in view of Lee as taught by Sinclair to use dynamic addressing of devices in the local area network.

LeCarpentier in view of Lee and Sinclair teaches a remote device coupled to communication network, remote device communicating with gateway server via communication network, gateway server creating a proxy for each of said plurality of devices (Sinclair teaches DHCP) in said local network (using only one internet

connection or internet IP address to serve internet data to all of the workstations on your network).

wherein a service of at least one of said plurality of devices can be invoked by said remote device utilizing said created proxy for said at least one of said plurality of devices (using only one internet connection or internet IP address to serve internet data to all of the workstations on your network).

LeCarpentier in view of Lee and Sinclair teaches selecting services associated with registered mailing devices (device active on a LAN, user who wants to print will select print job) via communication between remote device and gateway server.

LeCarpentier in view of Lee and Sinclair teaches invoking selected service via proxy by remote device (e.g. printing on the printer wireless connected on a LAN).

Regarding claims 2 and 32, LeCarpentier in view of Lee and Sinclair teaches wireless communications are radio frequency communications.

Regarding claim 3, LeCarpentier in view of Lee and Sinclair teaches radio frequency communications are automatically established (Sinclair teaches DHCP).

Regarding claims 4 – 7 and 35 – 36, LeCarpentier in view of Lee and Sinclair teaches plurality of type of devices (laptop, desktop, printer) connected wireless on a LAN. Therefore, LeCarpentier in view of Lee and Sinclair teaches devices to include a scale, a postage meter, mail processing machine, a personal computer (design choice

to decide what type of devices should to connected to a LAN to meet business requirements).

Regarding claim 8, LeCarpentier in view of Lee and Sinclair teaches a data center coupled to a said communication network, wherein gateway server communicates with data center via said communication network, said data center receiving data from and sending data to at least one of said plurality of devices via said communication network, said gateway server, and a wireless communication between said gateway server and said at least one of said plurality of devices.

Regarding claim 9, LeCarpentier in view of Lee and Sinclair teaches communication network is a public switched telephone network (Sinclair teaches modem to connect to internet via plurality of type communication connectivity like, cable, DLS)

Regarding claims 10 and 34, LeCarpentier in view of Lee and Sinclair teaches communication network is the Internet.

Regarding claim 37, LeCarpentier in view of Lee and Sinclair teaches a status report (Sinclair teaches that its gateway provided status through lights). How status is provided to a user is a design choice.

(10) Response to Argument

In response to appellant's argument that the subject matter defined in claims 1, 31 are not indefinite for failing to particularly point out and distinctly claim the subject matter which appellants regard as the invention is persuasive and removed from the office action.

In response to applicant's argument that cited reference Lecarpentier is directed to a remote control system for a set of franking machines which are geographically dispersed where each franking machine is connected via a telephone channel to a central remote meter-reading station of the central organization.

However, appellant is separating the cited references to make their argument. Cited reference LeCarpentier teaches Franking Machine communicating with Central Station via Locan Station, and, LeCarpentier also teaches at plurality of Franking Machines can communicate to Central Station via Local Station by sharing a single communication line to connect to the central station using a modem. Cited refernce Lee teaches that the geographically dispersed franking machines can be connected using wireless mode of connectivity. Cited Reference Sinclair teaches gateway server and wireless connected devices capable of communicating among themselves as well as communicating with the remote devices outside with remotely located devices over the network like internet.

In response to appellant's argument that franking machines of Lecarpentier do not communicate with each other by any means, nevertheless by a wireless communication.

However, as responded to earlier cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

In response to appellant's argument that cited references LeCarpentier does not teach franking machines do not communicate with each other through the local stations.There is also no disclosure, teaching or suggestion in cited reference Lecarpentier of a remote device coupled to said communication network, said remote device communicating with said gateway server via said communication network, said gateway server creating a proxy for each of said plurality of devices in said local network, wherein a service of

at least one of said plurality of devices can be invoked by said remote device utilizing said created proxy for said at least one of said plurality of devices" as is recited in claim 1.

However, appellant is separating the cited references to make their argument. A proxy server which creates a proxy is a middleman for network communication. Cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

In response to appellant's argument that cited reference Lee is directed to a franking machine system in which a franking machine intended for operation at a predetermined location cannot be operated for franking mail if it is moved away from that location.

However, once again appellant is separating the cited references to make their argument. Sinclair teaches that device connected with wireless communication can be a mobile device. Cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

In response to appellant's argument that cited reference Lee does not teach a gateway server that forms a local network with the plurality of devices and acts as a master of said local network. The Final Rejection contends that Lee teaches one or more postal processing machines interconnected by a local area radio frequency (1kF) wireless communication network.

However, appellant is separating the cited references to make their argument. As responded to earlier, cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

In response to appellant's argument that in cited reference Leethere is no discussion anywhere of any of the franking machines communicating with each other through any type of communication path, nevertheless through a gateway server.

However, as responded to earlier cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

In response to appellant's argument that in cited references, There is no disclosure, teaching or suggestion in any of the references, either alone or in any combination, of a mailing system that comprises plurality of devices associated with mail preparation, to communicate with other of said plurality of devices via a wireless communication;

However, Sinclair teaches a remote device can invoke services of another wirelessly connected device like a printer over the wireless network. As responded to earlier cited references LeCarpentier in view of Lee and Sinclair teaches the limitation as claimed by the appellant.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Naresh Vig
Examiner
Art Unit 3629

Conferees:

John Weiss

Tan Dean Nguyen 6/28/05